

BILL NO. Z-83-07-06

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. I-3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated a B-1-B (Limited Business) District under the terms of Chapter 33
of the Code of the City of Fort Wayne, Indiana of 1974:

The East Half of Lot #19 in LaFontain Gardens Addition
and the symbols of the City of Fort Wayne, Zoning Map No. I-3, as established
by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and
effect from and after its passage and approval by the Mayor and the legal
publication thereof.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Stew,
seconded by _____, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, 19____, the _____ day of _____,
at _____ o'clock _____ M., E.S.T.

DATE: 7-12-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Stew,
seconded by Bradbury, and duly adopted, placed on its
passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>2</u>	<u>6</u>	_____	<u>1</u>	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GIAQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCRUGGS</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	<u>✓</u>	_____

DATE: 8-9-83

Sandra E. Kennedy
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of _____
o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR. - MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED June 9, 1983

INTENDED USE Store - Bakery Outlet

THIS IS TO BE FILED IN DUPLICATE

I/We Wilfred E. Doetsch (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B-1 District to a/an P-1-B District the property described as follows:

East 1/2 Lot 19 La Fountain Gardens Add. E1/2
DEED RECORD BOOK #523 PAGE #539
2902 COVINGTON RD. CORNER LA FONTAIN.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Wilfred E. Doetsch</u>	<u>4817 Upper Huntington Rd.</u>	<u>Wilfred E Doetsch</u>
_____	<u>Ft. Wayne, Ind. 46804</u>	_____
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>Elva M. Brown</u>	<u>3403 Suburban Dr. Ft. Wayne, IN 46804</u>	<u>219-432-2438</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

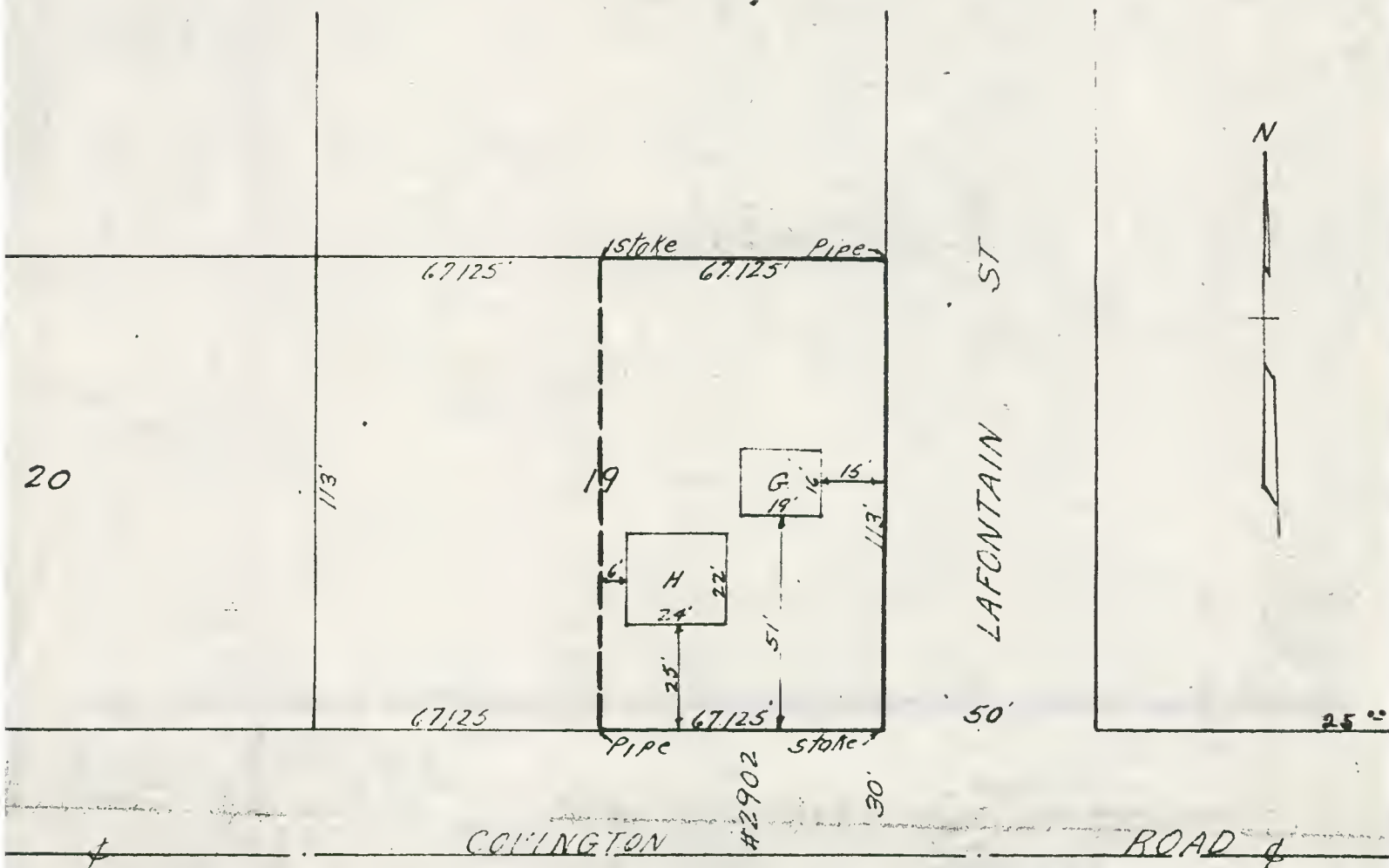
ARNOLD J. VORSTER

LAND SURVEYOR — FORT WAYNE

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a resurvey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: The East Half (1/2) of Lot No. 19 in Lafontain Gardens, an Addition to the City of Fort Wayne, Indiana.

On the above described real estate stand a one (1) story frame house and a frame garage, located at 2902 Covington Road, Fort Wayne.



gentle

REAL ESTATE TAX BILL **A - SPRING**
FOR 1982 PAYABLE IN 1983
ALLEN COUNTY - STATE OF INDIANA TOWNSHIP OR CORP.
94 FT WAYNE - WAYNE

KEY NUMBER **94-3234-0019**
DUPLICATE NUMBER **053711 A**

LAND VALUE		IMPROVEMENTS		* EXEMPTIONS	NET ASSESSED VALUE
R					
NR	900		1,400		2,300
ACTUAL TAX RATE		CREDIT RATES		GROSS TAX	LESS CREDIT
9.34710		R 24.00250		R .00	R .00
9.34710		NR 20.00250		NR 107.49	NR 21.50

	RESIDENTIAL NET
85.99	NON RESIDENTIAL NET
85.99	NET THIS INSTALLMENT
	DELINQUENT TAX AND PENALTY
85.99	PAY THIS AMOUNT

* SEE REVERSE SIDE

MAKE CHECKS PAYABLE TO:
TREASURER - ALLEN COUNTY
FORT WAYNE, INDIANA 46802

AMOUNT DUE THIS INSTALLMENT

DELINQUENT TAX AND PENALTY TOTAL

DELINQUENT AFTER

1980		MAY 10, 1983
1981		FULL YR TAX 171.98
1982		
1983		

DOETSCH W E
4817 U HUNT RD
FORT WAYNE INDIANA 46804

LOT 19 LA FOUNTAIN GARDENS ADD E1/2

THIS IS YOUR TOTAL AMOUNT
TAX CREDIT FOR 1981
(SEE BACK SIDE FOR EXPLANATION)

R .00
NR 43.00

Pd 4/12/83
CK # 2821

APPROVED BY STATE BOARD
OF ACCOUNTS (1982)
28003

NOTE: THE LETTER 'R' SHOWN ON YOUR TAX STATEMENT
INDICATES 'RESIDENTIAL' TO WHICH HOMESTEAD
CREDIT HAS BEEN APPLIED. THE LETTERS 'NR'
INDICATES 'NON RESIDENTIAL' REAL ESTATE.
KEEP THIS COPY FOR YOUR RECORDS

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 12, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-07-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 18, 1983;

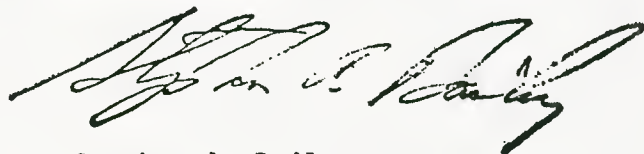
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact".

- (1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 25, 1983.

Certified and signed this
26th day of July 1983.



Stephen A. Bailey
Secretary

BILL NO. Z-83-07-06

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. I-3

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE No Not PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

Janet G. Bradbury
Victoria L. Scruggs
Mark E. Giaquinta
Roy J. Schomburg
S. Kennedy

Enclosed in 8-3

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____.M.,E.S.T.

DATE: _____

CITY CLERK

Motion made by Schmidt
Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	✓	_____	_____	_____
<u>BURNS</u>	✓	_____	_____	_____	_____
<u>EISBART</u>	_____	✓	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	✓	_____	_____
<u>SCHMIDT</u>	✓	_____	_____	_____	_____
<u>SCHOMBURG</u>	✓	_____	_____	_____	_____
<u>SCRUGGS</u>	_____	✓	_____	_____	_____
<u>STIER</u>	✓	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	✓	_____

DATE: _____

Frederick E. Kennedy
- CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____.M.,E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock _____.M.,E.S.T.

WIN MOSES, JR. - MAYOR

RECEIPT

6/12
7214

COMMUNITY DEVELOPMENT & PLANNING

No 8990

FT. WAYNE, IND., June 9 1983

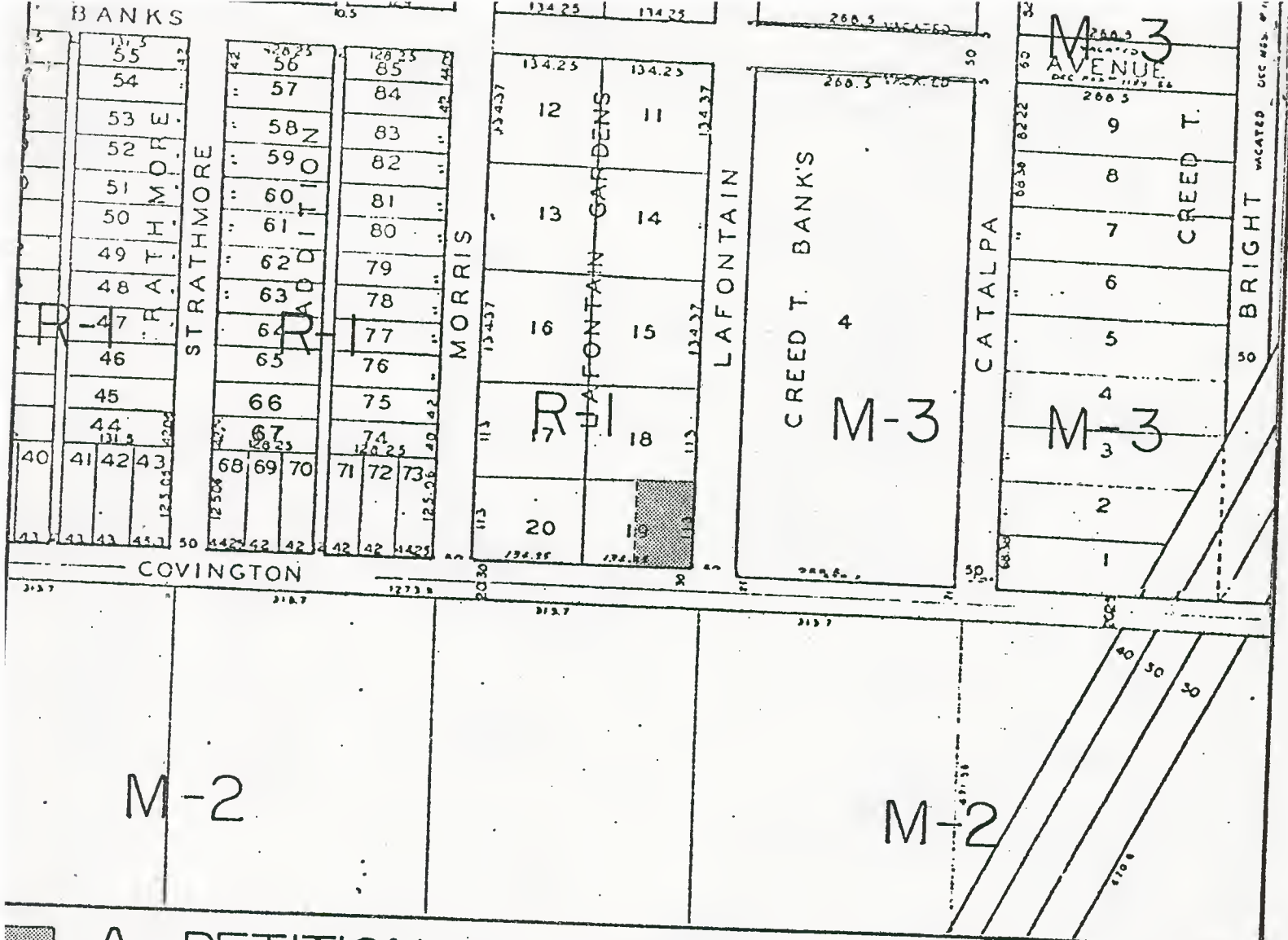
RECEIVED FROM Elna M. Brown \$ 50.00


THE SUM OF Fifty Dollars 100 DOLLARS

ON ACCOUNT OF Int #19 to Mountain Garden Rd

Gary Burton

AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO A BIB DISTRICT.

Z-83-07-06

MAP NO. 1-3



BY LARRY WHITT 6-14-83

7-26-83

Natka:

Note spelling of Lafontain in line
#10 on ordinance has been corrected.

Pat



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

26 July 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 25, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

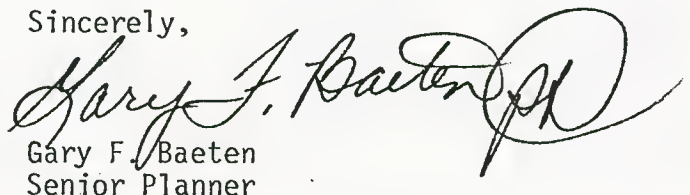
1. Bill No. Z-83-07-06
2. From R-1 to B-1-B
3. Intended Use: Wholesale Bakery Store
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The Commission feels this rezoning would be spot zoning and have an adverse affect to the use or value of the adjacent property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Sincerely,



Gary F. Baeten
Senior Planner

GFB:pb



ORIGINAL

Admn. Appr. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-83-07-06

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE East Half of Lot #19 in Lafontain Gardens Addition.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residence.

Property will become B-1-B - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residence.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____